

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

10 RALPH ALLEN DICKERSON, ) 3:08-cv-00188-HDM (VPC)  
11 Petitioner, )  
12 vs. ) ORDER  
13 FEDERAL BUREAU OF INVESTIGATION, )  
Sacramento, California Division )  
14 and San Francisco, California )  
Division. )  
15 )  
16 Respondent. )

17 Petitioner Ralph Allen Dickerson has filed with the court what  
18 appears to be an application for a writ of mandamus requesting the  
19 court to compel the Federal Bureau of Investigations to pursue an  
20 investigation into certain allegations made by the petitioner.  
21 (Docket 1). Under 28 U.S.C. § 1361, district courts have original  
22 jurisdiction over any mandamus action to compel an agency of the  
23 United States to perform a duty owed to a complainant. However,  
24 mandamus actions are subject to the venue requirements of 28 U.S.C.  
25 § 1391(e), which states in relevant part:

26 A civil action in which a defendant is . . . an agency of the  
27 United States . . . may, except as otherwise provided by law,  
28 be brought in any judicial district in which (1) a defendant  
in the action resides, (2) a substantial part of the events or  
omissions giving rise to the claim occurred, or a substantial

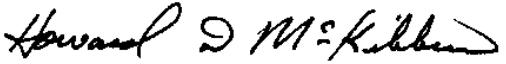
1 part of property that is the subject of the action is  
2 situated, or (3) the plaintiff resides if no real property is  
3 involved in the action.

4 It appears that none of the venue requirements of 28 U.S.C. §  
5 1391(e) are met by the allegations and facts presented in  
6 plaintiff's filings with the court. First, the defendants named  
7 are divisions of the Federal Bureau of Investigations located in  
8 California, not Nevada. Second, none of the events or omissions  
9 mentioned by plaintiff in his filings take place in the district of  
10 Nevada. The court notes plaintiff's lone reference to the Federal  
11 Public Defender's office in Reno in his application for a writ  
12 (docket 1), but concludes this does not amount to a "substantial  
13 part" of the events giving rise to the claim, which the statute  
14 requires. Third, it appears from plaintiff's filings that he is a  
15 resident of California.

16 For these reasons, the court dismisses this action for lack of  
17 venue without prejudice to be filed in the appropriate judicial  
18 district.

19 **IT IS SO ORDERED.**

20 DATED: This 23rd day of June, 2008.  
21

22   
23 

---

UNITED STATES DISTRICT JUDGE  
24  
25  
26  
27  
28